

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

The Hamilton County Board of Commissioners met on Tuesday, May 27, 2008 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 12:30 p.m. President Altman called the public session to order at 1:20 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

**Approval of Minutes**

Dillinger motioned to approve the minutes of May 12, 2008. Holt seconded. Altman requested clarification on what the county is doing regarding the 146<sup>th</sup> Street and Stephanie Drive closure. The minutes reflect that anyone living in the five subdivisions south of 146<sup>th</sup> Street are included in the petition requirement of 75%. Ms. Kim Rauch stated it is four neighborhoods. Dillinger asked if the county is sending a notice out? Mr. Brad Davis stated they are preparing a letter to send to the Presidents of the homeowner associations directing them on what they need to do. Altman clarified that it is the four subdivisions south of 146<sup>th</sup> Street that would have access to Stephanie Drive. Altman requested to amend the minutes accordingly. Howard stated he wants to see the letter due to contractual obligations. Altman stated that is for Jason Drive and we determined we were not going to close Jason Drive. Dillinger and Holt accepted the amendment. Motion carried unanimously.

**Executive Session Memoranda**

Holt motioned to approve the Executive Session Memoranda of May 27, 2008. Dillinger seconded. Motion carried unanimously.

**Bid Openings [1:25]**

**Small Structure #32011, 231<sup>st</sup> Street over Anderson Ditch**

Mr. Mike Howard opened the bids for Small Structure #3201, 231<sup>st</sup> Street over Anderson Ditch in Jackson Township. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addenda (4) are included unless otherwise specified. 1) Calumet Asphalt - \$662,200. 2) Duncan Robertson Inc. - \$660,662.60. 3) George R. Harvey & Son - \$633,021.65. 4) Hoosier Pride Excavating - \$685,331.19. Howard recommended forwarding the bids to the highway department staff for review and recommendation later in today's meeting. Dillinger so moved. Holt seconded. Motion carried unanimously.

**4-H Storage Building Rental for 2008-2009**

Howard opened the bid for rental of the Hamilton County 4-H Buildings for 2008-2009. One bid was received from Abaco Dock & Lift Company in the amount of \$7,601. A cashier's check in the amount of \$500 for a damage deposit was included. Howard recommended forwarding the bid and cashier's check to the 4-H Grounds staff for review and recommendation at the next meeting.

**Plat Approval [1:31]**

**Joe's Place**

Mr. Dave Lucas recommended approval of a plat for Joe's Place. It is two lots located north of 246<sup>th</sup> Street east of Anthony Road. They are going from an east/west parcels to a north/south parcels. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Circuit Breaker**

Altman stated Mark Keene has requested one representative of each taxing unit to meet to discuss the 1% Cap (Circuit Breaker). Dillinger recommended Altman attend. Holt concurred but thought the letter was asking if the Commissioners would convene the meeting. Altman will coordinate the meeting with Mr. Fred Swift.

**Town of Cicero Plan Commission**

Altman stated the Town of Cicero is trying to transition from the county's plan commission to their own plan commission. Altman requested concurrence on approving a waiver on paying the county's contractual fees of the 4<sup>th</sup> Quarter of 2008 to allow Cicero to maintain the fees to support their hiring an employee before January 1, 2009. The county's contract with Cicero will end December 31, 2008. Holt so moved. Dillinger seconded. Motion carried unanimously.

**Highway Business [1:35]**

**Heather Knoll Subdivision Request for Entrance**

Mr. Steve Broerman, Platinum Properties, requested approval of an entrance to Heather Knoll Subdivision, Section 3 in Clay Township south of 146<sup>th</sup> Street between Towne and Shelborne Roads. Broerman stated they have met with the highway department and are aware of the new design for 146<sup>th</sup> Street. The new design has very little impact on their project. The entrance is designed with an acceleration taper and deceleration lane with a taper. Right of Way has been negotiated to construct the entrances as shown on the plan. Altman asked if they will be able to retrofit to accommodate the frontage road design? Broerman stated it is his understanding that the frontage road will become the existing 146<sup>th</sup> Street, which is what they are designing to. Holt asked if the acceleration and deceleration lanes are necessary? Altman stated yes, we don't have the money to construct this section and it will be several years before it is built. Holt asked when it is built will those lanes have to come out? Broerman stated he does not see a reason to take them out. Mr. Jim Neal stated the lanes would not be a detriment to the road. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit – Highway Department**

Neal requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-05-0021 – Merchant's Bonding Company Continuation Certificate for Bond # IN 15186 issued on behalf of Bedwell Construction, Inc. in the sum of \$25,000 for general contracting to expire April 19, 2009. 2) HCHD #B-08-0015 – Cincinnati Insurance Company Performance Bond #B0310178 issued on behalf of Thompson Thrift Construction, Inc. in the sum of \$50,000 for right of way improvements along Olio Road, to expire April 21, 2010. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Agreements/Supplements**

**Bridge No. 19 Supplemental Agreement No. 1**

Neal requested approval of Supplemental Agreement No.1, HCHD #E-07-0002, with The Schneider Corporation for replacement of Bridge No. 19, West 256<sup>th</sup> Street over Teter Branch of Little Cicero Creek. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

**Bridge No. 180 Engineering Agreement**

Neal requested approval of Engineering Agreement, HCHD #E-08-0003, with USI Consultants, Inc. for rehabilitation and widening of Bridge No. 180, 121<sup>st</sup> Street over Sand Creek. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Windsor Grove Homeowners Association Statement of Agreement and Liability**

Neal requested approval of the Statement of Agreement and Liability, HCHD #M-08-0023, with Windsor Grove (Sections 1 and 2) Homeowners Association, for non-standard signs and posts. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Concurrence with Traffic Study Correspondence**

Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. 1) Tom Behringer concerning Ashbrooke Subdivision speed humps or driver feedback signs. The highway department's response is that speed humps are not warranted but they would allow the homeowners association to install Driver Feedback signs after an agreement and with a permit. 2) Scott Thornburgh concerning 146<sup>th</sup> Street & Springmill Road traffic signal problem. The highway department's response is that they checked the detection at this signal on multiple occasions and times and did not detect any problems. They will continue to monitor the signals. Holt motioned to approve. Dillinger seconded. Altman asked if the speed humps were not warranted because they are internal subdivision traffic? Neal stated it is internal subdivision traffic, low volume and 85% speed was a little over 2 ½ miles over the posted speed. Motion carried unanimously.

**Request to Advertise**

**Small Structure #33063, Fall Road over Sugar Run Creek**

Neal requested permission to advertise for Small Structure #33063, Fall Road over Sugar Run Creek in White River Township. Bids will be opened June 23, 2008 for construction this year. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Riverwalk Project**

Neal stated the job trailer for the Riverwalk Project has been moved closer to the buildings on the old Kahlo site and it has power. It does not have a phone. The water line has been relocated and the contractor has done some construction staking. The contractor will try to start next Monday; the phone in the job trailer has to be functional before they can start.

Altman stated she received a phone call from one of the restaurant owners on the square and discussed the Riverwalk project increasing or having a relationship to a three way liquor permit. This sounded as if it pertained to the City of Noblesville and not the county. Howard stated he is aware of the discussion and it is Noblesville. Noblesville has to declare it a river project district and that allows change in the type of liquor license.

**Plymate Uniform Agreement**

Mr. Brad Davis requested approval of the Plymate Uniform Agreement to supply uniforms for the highway department and Buildings & Grounds department. Dillinger motioned to approve. Altman seconded. Dillinger and Altman approved. Holt abstained. Motion carried.

**Highway Department Annual Report**

Davis requested approval of the Highway Department's 2007 Annual Report, to be submitted to the Indiana State Board of Accounts. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Rails-to Trails Conservancy's 2010 Campaign**

Davis stated the Indianapolis MPO (Metropolitan Planning Organization) has requested the Commissioners approve a Resolution to support participation in the Rails-to-Trails Conservancy's 2010 Campaign for active Multi-Modal Transportation in Central Indiana. They are assembling approximately \$50 million worth of trail related, bike related multi-use paths and sidewalks to submit as a potential bundle of projects that they can support and lobby for in the next highway bill. It is not certain that the Central Indiana projects will be lobbied for but they want to submit a bundle as an application. Altman stated this has been approved by the policy committee of the IRTC. It was discussed that the rails to trails are enumerated, that we support it to the extent that it is multi-modal. We preserve the corridor with the understanding that if we need it for transit or freight it will be re-instated. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Highway Meeting**

Davis stated there will be a Friday morning highway meeting on May 30, 2008 at 7:30 a.m. at the highway department.

**Carryover Unused Vacation Time – Bradley Davis**

Davis requested permission to carryover his excess vacation time past his anniversary date of March 3. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Baker Donelson Agreement [1:49]**

Altman stated the county's agreement with Baker Donelson will expire the end of May; they are the lobbyist firm for Hamilton County. Altman stated she has spoken with Jan Powell regarding adding CIRTAs as a component to the agreement and indicated that CIRTAs would be able to contribute approximately \$6,000 towards the contract. Altman stated Noblesville Mayor Ditslear has indicated he would support that addition. Altman asked if she has authority to execute the contract with the inclusion of CIRTAs at the prior price, if it changes she will bring the agreement back in June. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Community Corrections Project [1:51]**

Mr. John Barbee stated in the current construction project of the Community Corrections building there is an issue regarding the emergency electrical distribution. The building is currently designed to handle 100%, based on its wiring scheme however the existing generator that they were going to use from the Jail can not handle that load. There are three (3) options: 1) replace or add generators for 100% coverage of the building as wired in the contract documents; 2) installing computerized electrical panels to shed load when the generator comes on; 3) installing another distribution system of electrical service throughout the building typical to how the Juvenile Center and Jail currently handle emergency power. Mr. Joe Mrak stated the option RQAW has redesigned is the use of programmable electrical distribution circuit breaker panels. When the building was originally designed it was assumed the entire building would be on an emergency generator and the existing generator is not sized to be able to do that if everything in the building is on at the same time. Altman asked what was specified? Mrak stated there was an existing generator at the Jail that was

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

replaced with a larger generator to serve the new Jail. The existing generator was then used at the Community Corrections facility to reduce the construction budget. Altman stated it was always anticipated from the beginning that we would use the existing generator. Mrak stated yes. The option is use of the programmable circuit breaker panels that would allow the building, through a programming sequence, would be when the generator comes on the panels would shed load, which means cutting off circuits for certain lights, receptacles and equipment in the building. To shed the load in a program manner we would re-circuit the building and replace the panels originally designed with the programmable panels. This design would not require any additional space in the mechanical and electrical rooms in the building. The cost is approximately \$300,000. The current system has been redesigned; lighting on all floors, life safety areas would be fully powered, lighting on half of the first floor, lighting on the second floor would be the corridors, life safety issues and the lighting is reduced in the housing units. The second option, to install conventional panels, would involve installing a third electrical distribution system in the building. There are two transformers serving the building. There would be two service entrances, two main distribution panels, and two systems coming off of the panels. The third option would be to install a distribution panel, a third distribution system that is only connected to emergency power. The building would be re-circuited to connect those lights, receptacles and equipment that should be on the emergency system to those panels in a dedicated fashion. The disadvantage to this system is that they would have to add in each of the mechanical/electrical rooms another distribution panel and a transformer. This means the size of the rooms would have to be increased. The amount varies depending on the configuration and dimension of the room. The downside of increasing the square footage of the mechanical/electrical rooms is that we are already tight on space. The basement has been eliminated, which reduced programming square footage. The housing square footage was kept the same but due to storage we are at required square footage for housing and programming space. Mrak stated they will need more time to figure out how much additional space they need for each room. They are certain this would potentially reduce housing space, programming space and storage space in the building. Holt asked if there is a range on a typical room? Mrak stated probably 100 square feet or less. There are three rooms on the first floor and two rooms on the second floor. Altman asked if it would be 500 square feet? Mrak stated yes. The main electrical room on the first floor backs up to the locker room for the residents. They had planned 400 lockers to serve the ultimate capacity of the facility. If we encroach on the locker room we are not sure we can have 400 lockers to accommodate the additional transformers. Altman asked what is the disadvantage of Option 2, other than it is a system that could fail? Mrak stated the circuit breakers are programmable controllers; they can be changed and programmed. The third option of a separate system is slightly more simple than the programmable circuits. Altman asked what will it take to maintain Option 2? Mrak stated there is no maintenance required. Mrak stated the maintenance staff would have to learn to program the facility. There is a building management and building automation system to run the HVAC; these panels are programmed much the same way as the DDC system would be programmed. It is a matter of learning to program that system in addition to the system that is in the building. Altman asked how long would it take to calculate the square footage and how it would affect the rest of the facility? Mrak stated two or three days. Altman asked if they could have the answer by Friday to present it to them during their highway meeting? Mrak stated yes. Altman asked if they could provide estimated costs for both systems by Friday morning; including the retrofit and rewiring with Option 3? Mrak stated the programmable option on the table right now, a complete redesign has been done. The contractor has complete drawings for a cost estimate. Option 3 there have been some riser diagrams but a complete redesign of the circuitry has not been completed. It took three weeks to do the re-circuitry for the first option. It would take the same amount of time for Option 3. Altman asked if a conservative estimate could be provided Friday morning? Barbee stated we have hard costs on Option 2 from Gaylor; the pricing for Option 1 is rough and Friday would not be a final number. Altman asked Ralph Watson what his preference is? Watson stated he understands the challenges, he needs to see what type of square footage, how it would be configured and what they would be losing. His concern is the location of where they have to be on the second floor they will be encroaching on bed space would be a challenge. On the first floor they would have to encroach on program space and the locker room, where it has been designed to hold capacity. Altman asked Watson to attend Friday's meeting. Altman's preference would be to give them time to calculate the square footage and how it affects us by Friday. Dillinger and Holt agreed.

**Animal Shelter Sallyport**

Barbee stated the animal shelter sallyport was designed as a drive-thru temporary drop off during the night. That space was heated for the winter. For the summer there is no cooling but there is a ventilation system that would draw air out from one side to the other when the space gets 75 degrees or 80 degrees. Dillinger stated he does not think that is happening; he only saw one vent, which was partially closed on the north side. Barbee stated there is a fan on the south end and vents on the north end. When the fan kicks on the vents open and start to draw air through. Depending on where the thermostat is set determines if the vents are open or closed. They will not be open at any given time. Altman asked if it is possible to add another fan? Barbee stated adding another fan will not do much more than what you have today. The Humane Society is proposing a full HVAC system with cooling to utilize that space longer than what is the temporary holding period. That can work and can be done; it will not be efficient because every time you open the overhead doors you will lose everything you have. Dillinger stated they were telling him it gets to 120 degrees in the summer. Barbee stated there were situations where they did not know which way to turn the thermostat to make it kick the fan on and had people who kicked the switches off that overrode the fan. There are a lot of new people working there that do not know how the system works. Altman stated in the Spring you would set it and not let anybody touch it. Barbee stated correct, he would be surprised if it got to 120 degrees. If it was a 100 degree day it would be warm but the fan would be on and you would be under roof and should be cooler. Altman asked if the roof is insulated? Barbee stated the ceiling is. Altman stated if it is daytime it would be helpful to open up both sides of the sallyport for additional air circulation? Barbee stated yes. The intent is that it is a drop off site and then the animals would be moved inside; they would not be housed in the sallyport long term. Based on their capacity they are housing the animals out there longer.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

**ERA Abatement Contract [2:08]**

Ms. Robin Ward requested approval of the Service Agreement with Nexus Group to perform the ERA Abatements for the county. Altman stated the agreement lists the individual assessors; with the new legislation should the agreement be with Hamilton County and/or the Assessors who were in place after July 1? Ward stated there are still abatements in those townships and those township assessors will carry through their work through the end of the year. Altman asked Dillinger if that is accurate? Ward stated Debbie (Folkerts) did not want the work turned over July 1<sup>st</sup>. Altman asked who should be the contracting party and she would feel more comfortable with the Hamilton County Assessor being the contracting party for those townships; the townships can still do it if they are working. Dillinger motioned to modify the contract as amended. Holt seconded. Motion carried unanimously.

**Unsafe Houses**

**Middletown Home**

Mr. Chuck Kiphart stated the house on Middletown has been secured from entry.

**Crooked Stick Lane**

Kiphart stated he and the Health Department have visited the home on Crooked Stick Lane. The only item that the Plan Commission would be involved with is a new lock for the sliding glass door. The pool has a substantial wooden and screen cover on it so no one could fall in. By State law there should be self locking latches on the fence around the pool, that falls under the building call which is under Carmel's jurisdiction. He included that in the Order and it will be mailed this afternoon. Altman stated the neighbors are unhappy with the unsightliness but the county's jurisdiction is safety. Dillinger asked what about the leaching of contaminants? Kiphart stated they did not notice anything and neither did the Health Department. There was no odor and no ponding water. Dillinger asked Kiphart to send a copy of the letter to the neighbor, along with the report.

**10618 Park Avenue**

**10611 Ruckle Avenue**

Kiphart stated the hearings today are on the properties on 10618 Park Avenue and 10611 Ruckle Avenue owned by Charles and Ruth Nesbitt. The Nesbitt's responded Friday afternoon and indicated they are in foreclosure and bankruptcy. They provided the name of the attorney handling it and he gave him the name of the mortgage company. Kiphart has spoken to the mortgage company and they will have somebody go look at it in two weeks. Kiphart stated by the time they look at the house and give a contractor the order it would not happen for at least four weeks. Kiphart requested the hearing be extended for four weeks. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**ISSD [2:15]**

**Streaming Video Demonstration**

Altman stated BJ Casali has scheduled a streaming video demonstration on June 4, 2008. It videotapes meetings, training systems and archives information. Altman stated the intent is to capture the meetings for re-play. The problem is that the cheapest system is \$30,500 which is our out of pocket costs and then there is a monthly maintenance fee of \$1,477 or \$17,724 annually. Altman asked why would we not contract a videographer to tape sessions that we want to preserve instead of incurring this type of costs. Before we allow the scheduled preview to go through the Commissioners should provide guidance as to whether we would contract for such a thing. Casali stated she was doing what was asked by a County Council member. Altman stated the County Council member should have approached the Commissioners because it would be a contract that the Commissioners would approve. Altman stated she is not interested in losing county employee time to look at a presentation because she would not vote for this because it does not make sense economically. Dillinger and Holt concurred. Altman told Casali to withdraw her Email to the general populous. If they want to put on a presentation that would be their business for the council member. Casali stated the other issue is that it helps with transcribing minutes. Altman stated you can buy a lot of people for \$1,700 a month to transcribe minutes.

**Purchase Orders**

Casali requested approval of purchase orders for servers for going 'green' in the computer room. It would reduce the amount of air conditioning required, the amount of floor space and the amount of electricity needed to support these servers. Altman asked if these servers needed to be replaced? Casali stated they need to be replaced. Altman asked what is the cost difference being a 'green' citizen verses a good citizen? Casali stated it is less expensive. Holt motioned to approve the purchase orders for Dell Blade Server in the amount of \$72,972 and Storage Area Network (SAN) devices in the amount of \$166,513. Dillinger seconded. Motion carried unanimously.

**Sterlyn Group Agreement**

Casali requested approval of a Professional Services Agreement with The Sterlyn Group to perform a security assessment audit of the county's network. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Outgoing Phone Line**

Casali requested approval to change to outside line number from 9 to 8. We are noticing more erroneous 911 calls. An outside line is not needed to dial 911, which is standard in the industry. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**EMS Training**

Captain Steve Peachey, representing the EMS Taskforce, discussed changing the agreement regarding paramedic education. To continue paramedic training where there is no cost to the fire department for two individuals from every fire department for the education through Riverview Hospital. Since 1999 Riverview Hospital is required to become an accredited education center through a university or educational center such as Ivy Tech Community College. At the time Riverview Hospital had the opportunity to become accredited there was no need to have a paramedic class. Riverview Hospital and the EMS Taskforce had chosen another direction. Now there is need for a paramedic class and they are requesting a change in the agreement stating Riverview Hospital as the educational center be changed to Ivy Tech and still seek reimbursement of the education of two paramedics per department. Altman asked Mills if the county reimbursed the hospital or did the hospital provide this service as being part of a county hospital? Ms. Robin Mills stated Riverview provided the service. Peachey stated his first paramedics that went for training in 2001 there was no exchange of money. The second set of paramedics in 2003 he made quarterly payments to Riverview Hospital. Once the paramedic graduated and received State certification the money was reimbursed to the fire

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

departments. The reason this was done is due to the expense of students dropping out of the class. Riverview Hospital decided to make the fire departments financially responsible if the students dropped out of the class. Altman stated that money changed hands between the hospital and the fire department? Peachey stated yes. Joyce Wood, Riverview Hospital, stated in 2005 standards for paramedics were changed to state they had to become an accredited college to provide that service. At that time the instructors were paid from the Riverview Hospital payroll. Since the Taskforce decided not to become the educational component and not offer university credits they were going to use Methodist, Wishard, or the St. Vincent's program. Since that time Ivy Tech has contacted Riverview and asked if they would like to partner with them for Hamilton County medics. Wood stated Riverview is happy to house them and do the clinical rotations. The instructors, program and credit hours would be through Ivy Tech. Altman asked what costs would be a burden to the county? Wood stated it would be the credits. This program is \$4,200 per paramedic for an 18 month course. This gives them college credits which they can apply towards an Associates Degree, which in the next five years they will need to be a paramedic in the field. Altman asked how much has the hospital saved by shedding this responsibility? Wood stated she budgeted \$30,000 for supplies, \$25.00 per hour for instructor fees (16 hrs per week for 18 months). There would be two instructors per day. Holt asked if Riverview supports Peachey's request to carry on and insert Ivy Tech where it says Riverview? Wood stated yes or you could put any other affiliate accredited school. Wood recommended putting an accredited program so if there is a cheaper program offered by another university it would be allowed. Holt asked if she would prefer it went through Riverview as the location? Wood stated yes. Altman stated this was a cost absorbed by Riverview and they no longer have it and now they are asking to shift it from county funds. Holt stated they are saying the fire department will pay for it and if the student graduates the fire department will be reimbursed by the county. Altman stated the county did not reimburse them, they paid Riverview and when the student graduated Riverview gave them back their money. Wood stated that was in the \$250,000 that was reimbursed by the county. Altman stated her concern is that it is shifting from Riverview to the county. Holt stated her concern is that we have trained paramedics throughout the county and he does not understand why Riverview would absorb that cost. Altman stated they were absorbing a lot of costs in the paramedic program and we shifted that all to the county when we started giving them month to month. Holt asked why would not shift it to the county? Altman stated that should be part of the overall benefit, Riverview bills on runs. Wood stated they bill on runs and reimburse back out. Riverview has a 46% collection rate and then they bill; it is break even on the runs. This does not include the EMS budget. Dillinger stated the hospital has never brought up this topic. Altman stated this is something absorbed by Riverview as part of their budget and now it is a direct shift because they are not accredited. Wood stated Riverview can no longer become accredited, that deadline passed in 2007. Altman stated the costs to Riverview were \$37,200 annually. Riverview absorbed that amount and now it is back on the county. Wood stated Riverview was reimbursed \$250,000 annually for EMS and EMS education and that is gone. Altman stated Riverview is not running the paramedic program either, the county picked up that responsibility when we went directly to the fire departments. By doing the direct reimbursement to the departments we are paying the county's portion and took Riverview off the hook for the amount we were supplementing. Holt stated if Riverview is left out of the calculations we were reimbursing fire services around the county for having trained paramedics and Peachey is saying the county continues to reimburse fire services throughout the county for having training for paramedics. Altman stated the county never reimbursed for training. Holt stated it sounds like we were doing it indirectly because we were reimbursing Riverview. Wood stated correct. Altman stated we no longer reimburse Riverview and we are still picking up that cost. Dillinger stated we don't really have an option. Altman stated or Riverview absorbs the paramedic costs because they are a county hospital and they are running all of the other paramedics. Wood stated no, they don't run any paramedics. Altman stated they are still providing the billing and you are getting more patients, there are still advantages by what you are doing. Wood stated by law each of the constituents has to go to the nearest hospital for an emergency. Altman stated we are already paying a significant amount for paramedics; it is scheduled to go down but she assuming they will come back to the county asking for an increase because they can not take it over. Peachey stated the northern part of the county is struggling. One of the reasons that Riverview was doing this for us was that we had to hire individuals that we had to train and it was a great burden on fire departments, especially in the smaller communities. Altman stated she supports the training program but she does not support the cost shift from the hospital to the county. Holt asked if there are two paramedics per department per community? Peachey stated per ALS provider department, there are six in the county. Holt stated the maximum expense to the county, if everyone stuck with the program, would be 12 times \$4,200? Peachey stated yes, the agreement should state it is only for an ALS provider. Holt motioned to approve the request and ask the county attorney to draft an agreement reflective of that. Altman asked subject to an additional appropriation? Holt stated yes. Dillinger seconded. Dillinger asked what is the cost to the county? Wood stated the cost of paramedic instructor to Ivy Tech. Peachey stated it would be closer to \$50,000 for training of 12 paramedics. Holt asked if the ALS units pick the candidates and if they pick poorly it is their cost. Peachey stated yes, they will be responsible to Ivy Tech for the costs. Dillinger stated if we don't pass this Riverview continues to pay it? Holt stated or the fire departments don't have trained paramedics. Altman stated we will be absorbing a cost that Riverview has budgeted until they had the accreditation change and Riverview chose to not become accredited. Wood stated by the old contracts the county was responsible for paying it, we did not bill the county for it. Altman stated no, she read the contract and that is not the case. Dillinger stated currently Riverview is not going to pay it so it would fall back on the fire department. Altman stated they are no longer able to offer that service because they chose to not become accredited and they can not become accredited. Altman stated at one point Riverview absorbed \$37,000 in their budget to provide this service when accreditation was not an issue. Dillinger stated that is no more. Altman stated they are saving \$37,000 and the county is paying \$50,000 if we do that. Dillinger stated the option is to have the fire departments pay it. Altman stated or to have Riverview absorb that cost. Dillinger asked why would they do that? Altman stated because they are a county hospital and they are involved in this program and the county has relieved them of significant obligations when we shifted to the county coffers and put the burden on the fire departments. Altman stated it is inappropriate for this to shift to the county when we picked up so much. The fire department's should not suffer the cost should stay at Riverview. Dillinger asked if this could be tabled until we meet with Riverview in July. Peachey stated they are hoping for the course to start in August or early September. Altman stated they could be accommodated until we have the meeting in July. Dillinger motioned to table and put it on the meeting agenda with the hospital board in July. Holt stated the hospital's position has been presented today. Dillinger stated Wood is not the hospital board. Altman seconded the motion to table. Dillinger and Altman approved the motion to table. Holt opposed. Motion carried.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

Howard stated as opposed to a fifth amendment to the agreement, should he prepare a new agreement? Altman stated she is hoping the fire departments can come up with a more streamlined approach to ALS service in the interim. There has to be a more economical way to provide ALS service. Dillinger told Peachey that they will be all right; either Riverview or the county will be paying the costs. Altman told Peachey to schedule the training and the Commissioners will figure it out.

**Handbook Revisions [2:42]**

**Section 5.6.1 Personal Use of Vehicles**

Ms. Sheena Randall reviewed the draft of recommendations proposed by Brad Davis. Altman stated although we are saying if it is not de minimis we will put it on their W-2, which is fine but if we have outrageous personal use that is unauthorized we need sanctions for that (page 1, second to last paragraph). Howard added wording 'and subject to disciplinary action'.

**Section 5.6.3 Driver Eligibility Requirements**

Item 3 states "An applicant or employee operating a commercial motor vehicle must be a minimum age of 21 years. Davis suggested 18 years. Randall stated after speaking with Doug Walker and Dan Papineau they felt 21 years is more appropriate. We want the individual driving the vehicle to have experience and evaluate their behaviors in driving. Altman asked what is the earliest age you can receive a commercial license? Davis stated 18 years old for in state use. Davis stated you only need to be 18 years old to drive with a CDL (Commercial Drivers License) in state. Randall stated Doug Walker stated they feel it is appropriate for someone to have a few years experience. Holt stated he thinks it should be 18 years of age. Davis stated the highway department hires a lot of part-time people and a lot of them will get their CDL in hopes of becoming a full time employee. By working part time we know their work ethic and we would know if would want to hire them. They don't have the experience of driving a truck. They obtain their CDL and apply for a job and they are good employees. We are locking them out. Holt motioned to make it 18 years of age. Dillinger seconded. Motion carried unanimously. Randall asked if the Commissioners want it to say 18 years of age and meet CDL requirements? The Commissioners agreed.

Item 4 required a minimum of one year experience as a driver of the vehicle similar to the equipment they would be utilizing by their department and Davis felt that section was not necessary. Davis stated if a person comes in with a new CDL they would not have the experience and we would not be able to hire them as a truck driver. Holt concurred. Holt motioned to support Davis' position. Dillinger seconded. Dillinger and Holt approved. Altman opposed. Motion carried.

**Section 5.6.4 Motor Vehicle Record Reviews**

Randall stated under Applicants the handbook stated that the applicant needs to meet the county's policy. Language has been added stating 'does not meet the minimum requirements established by this policy or their MVR review reveals non-compliance'. Under Current Employees language is added stating 'does not meet the minimum requirements established by this policy or their'... The Commissioners concurred.

**Section 5.6.4.1 Mandatory Reporting**

Additional language under mandatory reporting states 'All motor vehicle related convictions and/or license suspensions incurred during non-work time must be reported to the employee's immediate supervisor at the beginning of the employee's next shift occurring after the conviction or suspension.' This language will also be in bold type. A third paragraph was added stating 'Employees must report to his or her supervisor the suspension of the employee's driving privileges due to a judicial finding of probable cause, pursuant to Indiana Code 9-30-6-9 or its amendments, for any offense listed in Indiana Code 9-30-5. This suspension must be reported immediately after notification of the suspension.' Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Section 5-6.4.3 Ineligibility Criteria**

Language added following in the first paragraph 'if any of the follow exist or'... Randall stated she wants to make sure that if somebody has any of these items they will not eligible to drive a county vehicle for 36 months. Item 2 added 'A record of more than two (three or more) at-fault traffic accidents (resulting in injury or property damage greater than \$1,500.00). Holt asked if this is applicable to Merit employees? Howard stated yes, it would have to go through Merit Board approval. Howard removed (three or more) and remove parenthesis beginning at resulting...

Item 3 stated 'A record of involvement'; Davis suggested 'A record which results'. Altman stated is it up to the Supervisor to take someone off a truck even if it is one really bad accident. Randall stated if they have more than one charge in an accident, it is possible. Item 5 discusses a list of violations and they would not be eligible to drive a county vehicle. Commissioners concurred.

Item 4 states 'The suspension of driving privileges due to a judicial finding of probable cause for any offense listed in I.C. 9-30-5.

Item 5 added language 'No record of any one conviction'; and k) was Operating without Permission Without Owner and Davis suggested the wording Vehicular Theft instead. Howard asked if this is all recommendations from Doug Walker as to what companies are going to insure for a reasonable amount of money? Randall stated yes. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Section 5.6.5 Serious Violations and/or Suspensions: Voluntary Advisement to Management**

The last draft allowed giving an employee one week to receive a re-instated license or provide documentation that they were working with their attorney or the BMV (Bureau of Motor Vehicles) or an insurance carrier to try and resolve any issues. Davis felt that was not sufficient timing so a different outline for the progression has been added. It states an employee with a suspended license shall not operate or drive any personal vehicle on County property. (added suspended license wording). If an employee has a serious violation or suspension and they voluntarily advise management they would be given up to 15 calendar days or two normal weeks in a non-driving position provided that work is available, to obtain a re-instated license. If no work is available they may be placed on an un-paid leave of absence for the remainder of the 15 days. They would be allowed to use accumulated leave time, if they have any. If the employee is unable to resolve the matter within 15 days they will have to provide written proof outlining what has happened. If the employee is unable to provide written proof after the 15 day period they could be subject to corrective action up to and including termination. If they provide the written proof the Elected Official/Department Head may approve an extension of an additional 30 days in a non-driving position if work is available. If no work is available they would be placed on an un-paid leave of absence. Altman stated it is 30 days or 4 normal work weeks? The Commissioners concurred 30 days. Randall stated if no work is available they would remain on un-paid leave of



HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

absence for 30 days and they can use accumulated leave. If a satisfactory license has not been provided within that 30 days management can allow the option of transferring to a non-driving position with a different pay classification and salary (if they are qualified). Once transferred their home position may be re-filled. If the employee gives written proof of their valid license then they can be placed back in their driving position if it is available. At any time the employee can apply for another job through Human Resources or they may terminate employment. If an employee does not notify their supervisor of a serious violation or suspension their driving privileges will be removed. They are placed on an un-paid suspension for 15 days. Randall will remove all 'normal work week' language and replace it with 15 or 30 days. Howard asked if the definition of serious violation is 'have a' or 'convicted of' or 'charged with'? Holt stated there is no presumption of innocence. Holt stated leave 'convicted of' except the OWI issue state 'charged with'. Howard suggested 'knowingly convicted of and/or has a suspended license'. Holt agreed. Randall stated they have 15 days during that time and are not allowed to use accrued leave time. During the 15 day period the employee must provide written proof from the BMV, insurance company or attorney. If they are unable to resolve the issue during their suspension period the employee can be terminated. If they do provide the written proof the employee can be transferred to a non-driving position and once transferred the position can be filled. If they provide a license the employee may be placed in their original position if the position is available. The Commissioners concurred.

Randall stated on page 5 Sheriff Carter had requested language allowing a current employee's eligibility determination may be reconsidered by the Commissioners upon request by the employee or Elected Official or Department Head which would include the type of driving and job performance. Altman stated that is appropriate.

Altman stated when there are defined terms it needs to show them as defined terms in the body of the agreement, either by bold type or capitalized first letters with definitions.

**Purchases of Meals [3:07]**

Each time the wording Meals provided appeared the wording 'or purchased' was added.

Item 4 was added - 'Meals which are included in the purchase price of seminar registrations' was added under meals that are approved and non-taxable. In the motion made May 15, 2008 Howard suggested deleting everything that was taxable and the two items that were taxable in the first draft were relevant to employees who attend a one day session that is not overnight providing a per-diem and allowing reimbursement of an Elected Official or Department Head to meet with like officials outside of the work place. Randall asked if that is the Commissioners intention? Randall stated a lot of the one day seminars are typically attended by new hires that are at the bottom of the pay scale, have young families and have a limited budget and are directed to attend the seminar. It is a benefit to network with other people and sometimes it is not practical to carry a lunch if there is no place for storage. Howard stated the IRS thinks differently. Altman stated this has been previously decided. They can take their lunch, most seminars include lunch. It is no different than if they are here or at a seminar, they have to eat lunch. Randall stated she understood the Commissioners wanted to approve like officials to network with other like officials outside of the workplace and be reimbursed. Randall stated it is included in Item 2 under taxable. Any time you provide a reimbursement, is not overnight and away from the workplace it is taxable. Howard's recommendation for the previous motion included taking everything out that is taxable and she did not think that was the Commissioners intent. Altman stated it was left under Item 3, what is the distinction? Howard stated sub-item 3 is at the county work site during county business hours and for the county's convenience. The second sub-item is away from the work site. Randall stated if the Commissioners want to reimburse officials outside of the work place there needs to be an amendment of their motion from the last meeting. Altman asked if this is only for Elected Officials or Department Heads? Randall stated yes. Altman stated she does not have a problem with that, it should be pre-approved. Howard stated he will move sub-item 2 from below the line to making it 5 above the line? Randall stated it is taxable we will have to add the language from the first one stating if it is approved it is taxable. Howard asked if we want to move Item 2 above the line? Altman stated and include in parenthesis the employee or Department Head will have the same included in their W-2 taxable income. Howard stated if we do that it will have to stay below the line. Randall stated the first draft stated it was approved but taxable. Commissioners concurred.

**Exempt Positions**

Randall stated on the list of Exempt Positions the Community Corrections Emergency Manager was removed and added Magistrate, Health Educator, Staff Engineer for Bridge and Road, and Veteran Service Officer. There was a question on the Project Engineer at the highway department. Brad Davis has forwarded an Email regarding this position, the main function is to manage the resurfacing program and Davis feels this individual performs a lot of duties that would be hired out to a consultant and by allowing it to remain as non-exempt the county would not have to pay a consultant and the cost savings would be more efficient. The Commissioners agreed to leave that position as is and not make it exempt. Randall asked if the other positions can be approved as exempt, the issue was tabled. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Wellness Event**

Randall asked that the date and closing time be established for the Wellness Event. The date is September 11, 2008 at the Hamilton County 4-H Grounds. Randall asked what time do the Commissioners want to close the courthouse? Altman stated she would like to not include lunch with dinner only, start the trail walk at 1:00 p.m. and 2:00 to begin at the Fairgrounds. The building would close at 1:00 p.m. for individual departments we would have to wait to see who signs up for the nature walk. Holt asked if an employee can elect to not participate? Altman stated yes and they work. Holt stated then we close the building, how do we close the building and tell people they have to work? Altman stated the meeting will have to be made mandatory. Holt suggested closing at noon, lunch on your own and if you don't participate the employee uses a half day of vacation time. Randall stated the trail takes about 1 hour to walk. Dillinger stated we should close the courthouse and make it mandatory as a continuance of their job. Altman asked if there is a problem with the incentive of getting off work one hour earlier by participating in the walk? Holt and Dillinger do not have a problem with that. Holt motioned to close the courthouse at 2:00 p.m. Dillinger seconded. Mills asked what if people don't want to go and how are they going to make sure everyone is at the Fairgrounds? Altman stated the employees that don't want to attend can take time off (vacation, comp).

**Emergency Management Director Appointment [2:56]**

Altman stated the EMA (Emergency Management Agency) Board has selected David Bice to fill the role of Director. Holt motioned to appoint David Bice as EMA Director. Dillinger seconded. Motion carried unanimously. Mr. David Bice stated he has selected Carl Erickson as the Deputy Director.

HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

**Attorney [3:23]**

**Retainage Escrow Agreement**

Howard requested approval of a Public Contract Retainage Escrow Agreement between Hamilton County and Community Bank for McDaniel Fire for the Corrections Complex project. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Olio Road, State Road 238 and 136<sup>th</sup> Street Interlocal Agreement**

Howard requested approval of an Interlocal Agreement between Hamilton County and the Town of Fishers for the roundabout at the intersection of Olio Road, State Road 238 and 136<sup>th</sup> Street. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Assessor's Pay – Attorney General Letter**

Howard requested permission to write a request for an Attorney General Opinion on whether or not there is a legal duty to compensate Assessors for the balance of their term. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Bid Award**

**Bridge #93**

Davis stated the bids have been reviewed for replacement of Bridge #93, 231<sup>st</sup> Street over Bear Slide Creek. The lowest responsive bidder was George R. Harvey & Sons in the amount of \$633,021.65. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Administrative Assistant [3:27]**

**Janus Transportation Grant Application**

Swift requested approval and signature on the Janus Transportation Grant Application for 2009. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**PrimeLife Enrichment Contract**

Swift requested approval of the 2008 PrimeLife Enrichment Funding Contract. The contract states 2007, Swift will request a corrected contract from PrimeLife Enrichment. Holt motioned to approve with corrections made. Dillinger seconded. Motion carried unanimously.

**AIC County Achievement Award**

Swift asked the Commissioners what project would they like to submit for the AIC County Achievement Award? Swift suggested the Community Corrections project. Holt suggested the Riverwalk. Dillinger stated at build-out the Community Corrections facility will be a \$7 to \$8 million savings to the county. The Commissioners agreed on the Community Corrections facility.

**Crooked Stick Unsafe House [3:36]**

Swift stated the biggest complaint on the home in Crooked Stick is the grass and weeds. He has spoken with the Doug Callahan, Clay Township Trustee and he will be sending someone to take care of the grass and weeds.

**Auditor [3:37]**

**Congressional School Report**

Mill requested approval of the Congressional School Report. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**2009 Commissioner Meeting Schedule**

Mills requested approval of the 2009 Commissioner Meeting Schedule. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**2009 Holiday Schedule**

Mills requested approval of the 2009 Holiday Schedule. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Clerk of the Circuit Court Monthly Report**

Mills requested acceptance of the Monthly Report from the Clerk of the Circuit Court dated April 2008. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Payroll Claims**

Mills requested approval of Payroll Claims for the period of April 21-May 4, 2008 paid May 16, 2008 and May 5-18, 2008 paid May 30, 2008. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit – Drainage Board**

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2008-00007 – Key Bank Irrevocable Standby Letter of Credit No. S313125 for Towne Oak Estates Storm Sewers - \$181,838.40. 2) HCDB-2008-00007 – Key Bank Irrevocable Standby Letter of Credit No. S313125 for Towne Oaks Estates Storm Sewers - \$181,838.40 (Amendment changing the name and address and adding storm sewers to the Letter of Credit). 3) HCDB-2008-00016 – Bond Safeguard Insurance Company Subdivision Bond No. 5033247 for the Sanctuary at 116<sup>th</sup> Street, Section 4a Storm Sewers - \$85,112.00. 5) HCDB-2008-00017 – Bond Safeguard Insurance Company Subdivision Bond No. 5033246 for the Sanctuary at 116<sup>th</sup> Street, Section 4a Monumentation - \$6,600.00. 6) HCDB-2008-00018 – Bond Safeguard Insurance Company Subdivision Bond No. 5033250 for the Sanctuary at 116<sup>th</sup> Street Section 4a Subsurface Drains - \$13,148.00. 7) HCDB-2008-00019 – Western Surety Company Performance Bond No. 70502684 for Vegetation Control on selected county drains \$20,622.00. 8) HCDB-2008-00019 – Western Surety Company Payment Bond No. 70502684 for Vegetation Control on selected county drains - \$20,622.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit – Drainage Board**

Mills requested the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00016 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020756 – Abney Glenn Subdivision storm sewers and subsurface drains - \$657,318.00. 2) HCDB-2006-00017 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020755 – Abney Glenn Subdivision erosion control - \$73,277.00. 3) HCDB-2006-00018 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020757 – Abney Glenn Subdivision monumentation - \$3,000.00. 4) HCDB-2007-00059 – Bond Safeguard Insurance Company Subdivision Bond No. 5029400 – Arcadia Christian Church regulated storm sewer - \$29,337.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.



HAMILTON COUNTY BOARD OF COMMISSIONERS  
MAY 27, 2008

**Vendor Claims**

Mills requested approval of the Vendor Claims to be paid May 28, 2008. Dillinger motioned to deny the Prosecutor’s Claim in the amount of \$90.00. Altman seconded. Motion carried unanimously. Dillinger motioned to approve the balance of the claims. Holt seconded. Motion carried unanimously.  
The Commissioners adjourned the public session. [3:42]

**Executive Session**

The Commissioners moved to Conference Room 1A for Executive Session for Discussion of Personnel IC5-14-1.5-6.1(b)(9).

**Commissioners Correspondence**

- IDEM Notice of Permit Issue to Sheridan Water Works
- IDEM Notice of Sanitary Sewer Permit Application
  - Sheridan Elementary School – Sheridan
  - SMC Sanitary Sewer – Noblesville
  - Smithfield Business Park – Noblesville
  - The Meadows of Shelborne at Deer Path, Section 8 - Noblesville
  - The Ridge Subdivision, Section 2A – Noblesville
  - Towne Road Sanitary Sewer Extension – Westfield
  - West Haven @ Noble West, Section 6 – Noblesville
- IDEM Notice of Sanitary Sewer Construction Permit Application
  - Kendall Wood Subdivision – Carmel
  - Towne Road Sanitary Sewer Extension – Westfield
  - Stony Creek Villas – Noblesville
- Certificate of Insurance
  - Fredericks, Inc.
  - Rosema Corporation, Inc.

**Present**

- Christine Altman, Commissioner
- Steven C. Dillinger, Commissioner
- Steven A. Holt, Commissioner
- Robin M. Mills, Auditor
- Fred Swift, Administrative Assistant to Commissioners
- Kim Rauch, Administrative Assistant to Auditor
- Michael Howard, Attorney
- Darren Murphy, Attorney
- Doug Carter, Sheriff
- Brad Davis, Highway Director
- Jim Neal, County Highway Engineer
- Joel Thurman, Highway Project Engineer
- Brandy Wariner, Highway Public Service Representative
- Dave Lucas, Highway Staff Engineer
- Mark Fisher, Highway Project Engineer
- Christopher Burt, Highway Engineering Technician
- Tim Knapp, Highway Right-of-Way Manager
- Matt Knight, Highway Bridge Program Engineer
- Faraz Khan, Highway Staff Engineer
- Kathy Howard, Highway Department Administrative Manager
- Bob Davis, Highway Superintendent
- Denny Neidigh, CMT
- Patti Smith, BLN
- Dan Cox, Joe’s Place
- Teresa Cox, Joe’s Place
- Becki Wise-Kent, USI
- Steve Broermann, Platinum Properties
- Ken Brasseur, Platinum Properties
- Adam J. Burns, CMT
- Steven Peachey, EMS Taskforce
- David Bice, Emergency Management
- Joyce Wood Wood, Riverview Hospital
- Chuck Kiphart, Plan Commission
- Sheena Randall, Human Resources
- John Barbee, Envoy
- Larry Dawson, Envoy
- Joe Mrak, RQAW
- Ralph Watson, Community Corrections
- BJ Casali, ISSD
- Robin Ward, Noblesville Township Assessor

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor